## AMENDMENTS TO THE CLAIMS:

*This listing of claims will replace all prior versions, and listings, of claims in the application:*

1. (Currently amended) A game machine that is provided with an electrically rewritable nonvolatile memory having two or more game data backup areas, said game machine ~~being capable of preserving~~ configured to preserve at least some ~~older~~ previously saved game data when ~~attempting to overwrite a game data backup area with latest game data~~ performing a game data backup writing process, comprising:

backup memory area selection programmed logic circuitry ~~which selects~~ configured to first select, as a write-objective backup area for storing latest game data, a backup area containing previously stored game data of oldest writing age among said two or more game data backup areas and, if a write attempt to said first selected backup area is unsuccessful after a predetermined number of attempts, to select another write-objective backup area of next oldest writing age among said game data backup areas;

memory controller for writing the latest game data to a backup area selected as ~~said~~ a write-objective backup area by said ~~area selector~~ backup memory area selection programmed logic circuitry;

memory write determination programmed logic circuitry configured to determine whether or not a writing of the latest game data to said backup area selected by said backup memory area selection programmed logic circuitry was successful;

memory write attempt repeater programmed logic circuitry configured to repeatedly attempt writing to the write-objective backup area for a predetermined number of attempts if it is

determined by said memory write determination programmed logic circuitry that a writing of the

latest game data was not successfully performed; and

writing prohibitor programmed logic circuitry configured to ~~prohibit further attempts of~~

preclude writing the latest game data to said ~~selected~~ another write-objective backup area and

~~end~~ terminate a game data backup ~~area~~ writing process without storing the latest game data ~~under~~

~~conditions wherein~~ if an attempt to write the latest game data to ~~said~~ a first selected write-

objective backup area is unsuccessful after said predetermined number of attempts and ~~only a~~

said another write-objective backup area ~~containing~~ contains the only remaining instance of

saved older game data ~~from a previous gaming session prior to generating said latest game data~~

~~is available as a write-objective backup area,~~ wherein a failure of a selected write-objective

backup area memory element occurring in said electrically rewritable non-volatile memory does

not result in ~~a loss of older~~ an attempt to store game data ~~stored~~ in a last remaining ~~available~~

backup area containing older game data.


2.  (Previously presented)  A game machine according to claim 1, wherein said memory

write determination programmed logic circuitry includes a historical information storage

programmed logic circuitry for recording historical information including information relating to

a write age of generated game data, said historical information being included as part of said

latest game data, and for determining an age of said generated game data relative to a write age

of other stored game data based on said historical data; and

said backup memory area selection programmed logic circuitry includes an earliest write

age selector which, before writing the latest game data, selects as the write-objective backup area

a backup area stored with game data that was written earlier than an age of the latest game data

based on said write age information.


     Claim 3  (Canceled)


     4.  (Currently amended)  A game machine according to claim 1, further comprising

message displaying programmed logic circuitry configured to display a predetermined alarm

message when the writing is prohibited by said writing prohibitor a game data backup writing

process is terminated without storing the latest game data.


     5.  (Currently amended)  A game data backup control method for preserving previously

saved older game data when attempting to overwrite perform a game data backup area stored in

an electrically rewritable writing process to a storage area of a in an electrically rewritable

nonvolatile memory device of a game machine, comprising steps of:

     selecting, when a latest game data is to be stored, a backup area stored with game data

having an oldest write age among said two or more backup areas of said memory device as a

write-objective backup area for said last latest game data;

     attempting a writing of said latest game data to said write-objective backup area selected

in said selecting step;

     determining whether or not writing of the latest game data to said backup area selected in

said selecting step was successfully performed and, if it is determined that a writing of the latest

game data was not successfully performed, repeatedly attempting a writing of said last game data

to said selected write-objective backup area for a predetermined number of attempts; and and, if

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said predetermined number of attempts to write said latest game data to said selected write-objective backup area are unsuccessful, selecting another write-objective backup area of next oldest writing age among other remaining backup areas of said memory device; and

prohibiting precluding a writing of said latest game data to said backup areas another write-objective backup area of next oldest writing age and ending terminating a game data backup writing process without storing said latest game data under a condition in which if said predetermined number of attempts to write said latest game data to said selected write-objective backup area are unsuccessful and only a single said another write-objective backup area stored with contains the only remaining instance of saved older game data from a previous gaming session prior to generating said latest game data remains as being selectable by said selecting step, wherein a failure of a selected write-objective backup area in said electrically rewritable non-volatile memory does not result in a loss of older an attempt to store game data stored in a last remaining available backup area containing older game data.


6. (Previously presented) A game data backup control method according to claim 5, wherein said attempting a writing of said latest game data includes attempting a writing of historical data used for discriminating between relative write ages of previously stored game data, said historical data being included as part of said latest game data.


7. (Previously presented) A game data backup control method according to claim 6, wherein said selecting a backup area as a write-objective backup area includes, before writing said latest game data, selecting a backup area stored with game data written earlier than an age of said latest game data based on the historical data.

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Claim 8 (Canceled)

9. (Currently amended) A game data backup control method according to claim 5, further comprising:

displaying a predetermined alarm message when ~~said writing is prohibited by said prohibiting step~~ a game data backup writing process is terminated without storing the latest game data.

10. (Currently amended) A game data backup control method for controlling whether or not latest game data is written into designated data storage backup areas in an electrically rewritable nonvolatile memory of a game machine, comprising:

selecting, as a write-objective, a backup area in said non-volatile memory that contains an oldest written game data and which is available for storing said latest game data~~; and~~ and, if a write attempt to a selected backup area is unsuccessful after a predetermined number of attempts, selecting another write-objective backup area of next oldest written data; and

~~canceling~~ precluding a writing of said latest game data into ~~a selected~~ said another write-objective backup area and ~~prohibiting further writing of said latest game data into a selected write objective backup area under a condition wherein writing into said~~ terminating a game data backup writing process without storing the latest game data if an attempt to write the latest game data into a ~~first~~ selected write-objective backup area is not successfully executable after a predetermined number of repeated attempts and ~~only a~~ said another write-objective backup area ~~containing~~ contains the only remaining instance of saved older game data ~~stored from a previous gaming session prior to generating said latest game data remains available for selection as a~~

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~~write-objective backup area,~~ wherein a failure <u>of</u> a ~~selected~~ <u>write-objective</u> backup area <u>memory</u>

<u>element occurring</u> within the electrically rewritable non-volatile memory device does not result

in ~~a loss of older~~ <u>an attempt to store</u> game data ~~that was stored~~ in a last remaining ~~available~~

backup area <u>containing older game data</u>.


11.  (Currently amended)  In a game machine having a nonvolatile memory, said memory

including a plurality of electrically rewritable game data backup storage areas, a method of

backing up game data, comprising:

generating latest game data corresponding to latest conditions in a game being played;

designating one of said game data backup storage areas that contains an oldest written

game data relative to game data written in other backup storage areas as a write-objective target

for storing said latest game data<u>; and, if a write attempt to a first write-objective target is</u>

<u>unsuccessful after a predetermined number of attempts, designating another write-objective</u>

<u>target of next oldest written data; and</u>

~~canceling~~ <u>precluding a</u> writing of said latest game data into said ~~designated~~ <u>another</u> write-

objective target ~~backup storage area~~ and prohibiting further attempts ~~at writing into a selected~~ <u>to</u>

<u>write to said</u> backup storage ~~area under a condition wherein~~ <u>areas if</u> an attempt in writing to said

~~designated~~ <u>first</u> write-objective target backup storage area ~~results in an unsuccessful storage of~~

said ~~latest game data~~ after a predetermined number of repeated unsuccessful attempts and ~~only a~~

~~backup storage area that~~ <u>said another write-objective target</u> contains <u>the only remaining instance</u>

<u>of saved</u> older game data ~~that was stored from a previous gaming session prior to generating said~~

~~latest game data remains available for selecting as a write-objective target~~; and

causing a display of said game machine to display an error message indicative of an

unsuccessful saving of said latest game data and/or a broken backup storage memory condition,

wherein a failure of a memory element in said electrically rewritable non-volatile memory does

not result in a loss of older an attempt to store game data stored in a last remaining available

backup area containing older game data.


Claims 12-22  (Canceled)